

REMARKS/ARGUMENTS

Claims 13-24 and 36-43 remain pending this application. No claims are amended or canceled by this response.

In the latest office action, the Examiner rejected the pending claims under the judicially created doctrine of obviousness-type double patenting, in view of prior U.S. patent no. 6,710,342 ("the '342 patent") and prior U.S. patent no. 6,392,231 ("the '231 patent"). As evidenced by the following chains of title, both the '342 patent and the '231 patent are coassigned with the instant application to Hermes-Microvision (Taiwan) Inc.:

I. U.S. Patent No. 6,710,342 (U.S. Patent Application No. 09/668,697)

1. From: Jack Y. Jau; Zhong Wei Chen
To : Hermes-Microvision, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 11375, Frame 0548.

2. From: Hermes-Microvision, Inc.
To : Hermes-Microvision (Taiwan) Inc.

The document was executed on April 5, 2004 and a copy is attached hereto as Exhibit A.

II. U.S. Patent No. 6,392,231 (U.S. Patent Application No. 09/513,306)

1. From: Zhong Wei Chen
To : Hermes-Microvision, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 012794, Frame 0647.

2. From: Hermes-Microvision, Inc.
To : Hermes-Microvision (Taiwan) Inc.

The document was executed on April 5, 2004 and a copy is attached hereto as Exhibit B.

In order to overcome the instant double patenting rejections, submitted herewith are terminal disclaimers directed to U.S. patent no. 6,710,342 and U.S. patent no. 6,392,231, executed on behalf of Hermes-Microvision (Taiwan) Inc., current assignee of the instant application. A Statement Under 37 CFR 3.73(b) by Hermes-Microvision (Taiwan) Inc., is attached hereto.

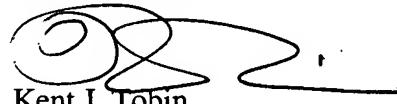
Based upon submittal of these terminal disclaimers, it is respectfully asserted that the Examiner's rejection has now been overcome and that the present application is now in

Appl. No. 10/649,599
Response to Office Action of June 10, 2004

PATENT

condition for allowance. The Examiner is invited to contact the undersigned by telephone at 650 326-2400 x5423 in the event that a telephone conference would be of value in expediting prosecution of this case.

Respectfully submitted,



Kent J. Tobin
Reg. No. 39,496

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
KJT:ejt
60349255 v1